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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/547,035	04/11/2000	Chang Soo Son	P-097	4163

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FLESHNER & KIM, LLP
P.O. BOX 221200
CHANTILLY, VA 20153

EXAMINER

DAVIS, TEMICA M

ART UNIT PAPER NUMBER

2681

DATE MAILED: 08/08/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.
09/547,035

Applicant(s)
Son

Examiner
Temica M. Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 11, 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Detailed Action

Reassignment Affecting Application Location

1. The art unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to art unit 2681.

Response to Arguments

2. Applicant's arguments filed May 30, 2003 have been fully considered but they are not persuasive.

Applicant argues that the Muller reference does not disclose an automatic switching state when a power failure is detected, but that it shows a manual switching technique.

The examiner, however, respectfully disagrees. In the previous office action, the examiner indicated that the switching unit which switches battery power of a wireless handset to an internal circuit of the base unit is switching means 341, not switching unit 27 as indicated by the applicant. The sensor 462 and the detection stage device 341 causes the switching unit 341 to set to its second switching state (col. 9, lines 46-54). Thus this switching actuation is automatic. Such automatic switching is admitted by the applicant in the remarks section (page 9, lines 15-19).

Applicant also argues that Muller fails to disclose a battery power intercepting unit located in the wireless handset. However, Muller teaches that during the power failure, mobile

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circuitry is disconnected from the battery when it has been determined that the battery of the handset is being used to power the base unit. Muller shows that the disconnecting mechanism is the mobile section of the telephone unit (col. 10, lines 1-19).

Based on the above remarks, the rejection with respect to Muller stands.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Muller, U.S. Patent No. 6044280.

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Regarding claim 1, Muller discloses a radio telephone system including a main body (stationary section 1) and a wireless handset (mobile section 2) disposed at the main body (i.e., when placed in the receptacle of the stationary section), comprising a power failure detector (461, 462) which detects a failure of power to the main body according to a direct current power state (i.e., the interrupted DC power supply state of the main power supply 3) (col. 9, lines 46-54) (the system is inherently supplied by DC power as evidenced by the presence of rectifiers in the power supply circuit 3; figures 1-2), a power switching unit (341) which automatically switches battery power of a wireless handset to an internal circuitry of the main body based on an output signal from the power failure detector indicative of the power failure (i.e., the control signal used in actuating the switch in a manner dependent upon the normal operation state or the power failure operation state) (col. 9, lines 30-35 and col. 9, lines 46-67), and inherently a battery intercepting unit, in the wireless handset, which intercepts the battery power of the wireless handset from an internal circuitry of the wireless handset to the internal circuit of the main body in response to the output signal from the power failure detector as evidenced by the fact that mobile circuitry is disconnected from the battery upon the determination that the battery of the handset is being used to power the base unit (i.e., when the system is operating in the second switching state) (col. 10, lines 1-19).

Regarding claim 2, Muller discloses the device according to claim 1, further comprising a charging supply unit (i.e., power supply lines/contacts) which receives direct current (via power supply circuit 3) (figures 1-2), and outputs charging power of the battery of the wireless handset

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(col. 8, lines 33-40 and col. 9, lines 2-14); and a main body voltage supply unit (i.e., power supply lines 350 and 360) which receives direct current (via power supply circuit 3; figures 1-2) and outputs operational power of the system main body (col. 9, lines 28-49).

Regarding claim 3, Muller discloses a radio telephone system including main body and a wireless handset disposed at the main body, comprising a charging power supply unit (power supply line 210) which receives direct current power (col. 8, lines 33-40), and outputs operational power of the main body via power supply lines 350 and 360 (col. 8, lines 60-63 and col. 9, lines 23-27) and battery charging voltage via power supply line 210 of the wireless handset (col. 8, lines 33-40 and col. 9, lines 2-18), a power failure detector which detects power failure of power to the main body according to a direct current power state (col. 9, lines 46-54), a battery (6) for the wireless handset (col. 8, lines 33-40 and col. 9, lines 2-12), a first switch (341) which automatically switches power of the battery to an internal circuit of the main body in response to a signal output from the power failure detector (col. 9, lines 46-54) and inherently a second switch in the wireless terminal, which automatically prevents power of the battery from being input into an internal circuit of the wireless handset in response to the signal output from the power failure detector as evidenced by the fact that mobile section circuitry is disconnected from the battery upon the determination of the battery of the handset being used to power the base unit in a power failed state (col. 10, lines 1-13).

5. Claims 6-9 and 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Dormer

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et al (Dormer), U.S. Patent No. 5,578,875.

Regarding claims 6 and 12, Dormer discloses a communication system comprising a first terminal (40), a second terminal (12/20), a base station (11) including a detector (104) which detects failure of power to the base station (col. 5, line 61-col. 6, line 7), a switch (105) which connects a power supply of the first terminal to the base station in response to a power failure signal output from the detector (col. 6, lines 2-7), and inherently a processor which manages communications between the second terminal and the base station while the base station receives power from the power supply of the first terminal (col. 2, line 8-col. 3, line 18).

Regarding claims 7 and 13, Dormer discloses the system/method of claims 6 and 12 wherein at least one of the first terminal and the second terminal is wireless (figure 3).

Regarding claims 8 and 14, Dormer discloses the system/method of claims 6 and 12 wherein at least the first terminal and the second terminal are wireless terminals (figure 3).

Regarding claims 9 and 15, Dormer discloses the system/method of claims 6 and 12 wherein the power supply of the first terminal includes a battery (col. 4, lines 43-51; figure 3).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be

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negated by the manner in which the invention was made.

7. Claims 10, 11, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dormer in view of well known prior art.

Regarding claims 10, 11, 16 and 17, Dormer discloses the system/method of claims 6 and 12 as described above. Dormer, however, fails to specifically disclose wherein an indicator, such as an LED, is activated when a power failure is detected.

The examiner contends, however, that such a feature is well known in the art, and the examiner takes official notice as such.

Therefore, at the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Dormer with the teachings of well known prior art for the purpose alerting a user in the vicinity of the phone that a power failure to the telephone unit has occurred.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is (703) 306-5837. The examiner can normally be reached on Monday-Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703) 305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2600 customer service whose telephone number is (703)306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for any communications intended for entry).

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Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).



Temica M. Davis

August 1, 2003



ERIKA GARY
PATENT EXAMINER